

## United States Senate

March 5, 2020

Mark Zuckerberg  
Chairman and CEO  
Facebook Inc.  
1 Hacker Way  
Menlo Park, CA 94025

Sheryl Sandberg  
COO  
Facebook Inc.  
1 Hacker Way  
Menlo Park, CA 94025

Mr. Zuckerberg and Ms. Sandberg:

Facebook recognized the risk that misinformation on your platform poses to the accuracy of the Census when it adopted a robust content and advertisement policy prohibiting misinformation about the 2020 Census.<sup>1</sup> When your company announced its new 2020 Census policy, you were rightly lauded for treating this critical constitutionally required exercise with appropriate seriousness.<sup>2</sup>

On Thursday, March 5, 2020, despite your company's robust content and advertising policies, and after receiving public recognition and credit for your steps to guard against Census misinformation, Facebook approved and ran thousands of advertisements from the Trump campaign that asked your users to "take the Official 2020 Congressional District Census today."<sup>3</sup> But users who clicked on the advertisements were *not* directed to a government website. Rather, the advertisements directed users to a campaign webpage that is deceptively designed to resemble an official government site and features text that reads the "Certified Website of President Donald J. Trump" and "For Official Use Only."<sup>4</sup> These advertisements are on their face a violation of Facebook's policy prohibiting "misleading information about when and how to participate in the census," including "misrepresentations of the dates, locations, time and methods for census

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<sup>1</sup> Martin, Kevin. "Helping to Protect the 2020 Census." Facebook.com, Dec. 19, 2019, Accessed at <https://about.fb.com/news/2019/12/helping-protect-the-us-census/>.

<sup>2</sup> Ingram, David. "Facebook to ban misinformation about 2020 census." NBCnews.com, June 30, 2019, Accessed at <https://www.nbcnews.com/tech/social-media/facebook-ban-misinformation-about-2020-census-n1024876>.

<sup>3</sup> @JuddLegum. "1. In December, Facebook pledged to remove ANY content with misleading information about how to participate in the Census. Now, the Trump campaign is running 1000+ Facebook ads promoting a fake 2020 Census. Facebook tells me it will take no action." Twitter, Ma. 5, 2020, 8:29 AM, <https://twitter.com/realdonaldtrump/status/1146435093491277824>.

<sup>4</sup> Legum, Judd. "Facebook allows Trump campaign to run deceptive Census ads." Popular Information, March 5, 2020.

participation.”<sup>5</sup> Nonetheless, these advertisements were approved and remained on your platform for hours after Facebook was made aware of them.

Facebook’s failure to enforce your policies banning misinformation is shocking and casts doubts about your company’s commitment to a complete and accurate Census. These advertisements should never have been approved. I am concerned that after receiving credit for combatting misinformation about the 2020 Census, you and your company are now backing away from full enforcement of those policies. I have a number of questions about how Facebook intends to enforce its content and advertising policies as they relate to the 2020 Census. I would like a response to the below questions by Friday, March 13, 2020.

- 1. How were the Trump campaign’s advertisements, which obviously violated Facebook’s census interference policy, approved?**
- 2. How do you plan to ensure that similarly misleading and deleterious advertisements do not run on your platform?**
- 3. Are you confident that Facebook has not approved similar advertisements from other advertisers?**
- 4. How many full-time employees have the prime or sole day-to-day task of reviewing census-related advertisements and content for Facebook?**
  - a. What census-specific training have these employees received?**
  - b. Will you provide remedial training to any or all employees involved in the approval of the Trump campaign’s advertisements?**
- 5. How much content and how many advertisements that potentially violate Facebook’s census interference policy, on a per-day basis, does Facebook expect to surface in the March-to-July period?**
- 6. How many advertisements has Facebook rejected because they violate your census interference policies thus far?**
- 7. How much user-generated content has Facebook taken down because it violated your census interference policy thus far?**
- 8. Please describe the process that Facebook will follow when it receives a report that approved content violates its census interference policy, commencing with receipt of the report through eventual resolution of the alleged violation.**
  - a. Assuming you believe that the nearly 24 hours it took Facebook to take down the Trump campaign’s misinformation about the 2020 Census is too long, how quickly**

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<sup>5</sup> Martin, Kevin. “Helping to Protect the 2020 Census.” Facebook.com, Dec. 19, 2019, Accessed at <https://about.fb.com/news/2019/12/helping-protect-the-us-census/>.



**will Facebook review and remove, if warranted, content and advertisements that potentially violate applicable rules or policies?**

- b. How quickly will Facebook prominently label and degrade the ranking of content that does not violate Facebook's census interference policy but is nonetheless false or misleading?**
9. Racial and ethnic minorities are more likely than white Americans to be concerned about the privacy of their census responses. There are also reports that far-right actors and foreign governments will use misinformation campaigns to discourage minorities from participating in the 2020 Census.
- a. Please describe Facebook's efforts to hire and retain full-time, diverse content moderators, including diversity statistics for its content moderation teams.**
  - b. Please describe Facebook's efforts to ensure cultural competency among its content moderation teams.**
10. In order to effectively respond to misinformation, entities seeking to promote census participation need to know what misinformation is being shared, whether that misinformation was widely shared, and with whom the misinformation was shared. **Will Facebook commit to sharing this information with census-focused independent entities?**
11. **Will Facebook's census interference policy also apply to other Facebook-owned platforms like Instagram?**

I hope you recognize that Facebook's ability to effectively combat misinformation during the 2020 Census will presage your ability to combat similar misinformation during the upcoming elections. I understand that you are working with civil rights groups, including The Leadership Conference on Civil and Human Rights, to prepare for the upcoming elections, and I encourage you to continue this work and to heed the advice you receive from the civil rights community.

Sincerely,



KAMALA D. HARRIS  
U.S. Senator